



Docket No.: 101896-233  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tushar Patel et al.  
Application No. : 10/776,666  
Filed : February 11, 2004  
Entitled : GUIDE DEVICE AND PLATE  
INSERTER

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

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May 5, 2004

By:

Date of Signature and Mail Deposit

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Commissioner for Patents  
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**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08 and attached hereto (copies of U.S. Patents and Publications cited are not provided as this application was filed after June 30, 2003).

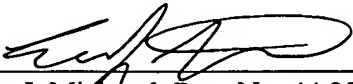
It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists, and in accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)), and thus no fees are

believed to be due. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-233.

Respectfully submitted,

Date: May 5, 2004

  
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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/776,666	
			Filing Date	February 11, 2004	
			First Named Inventor	Tushar Patel	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	101896-233

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2,466,023	04-05-1949	Griffin	
	AB	US-4,502,475	03-05-1985	Weigle	
	AC	US-4,686,972	08-18-1987	Kurland	
	AD	US-5,303,694	04-19-1994	Mikhail	
	AE	US-5,423,826	06-13-1995	Coates et al.	
	AF	US-5,558,622	09-24-1996	Greenburg	
	AG	US-5,676,666	10-14-1997	Oxland et al.	
	AH	US-5,755,721	05-26-1998	Hearn	
	AI	US-5,851,207	12-22-1998	Cesarone	
	AJ	US-6,235,034	05-22-2001	Bray	
	AK	US-6,332,887	12-25-2001	Knox	
	AL	US-6,342,056	01-29-2002	Mac-Thiong et al.	
	AM	US-6,342,057	01-29-2002	Brace et al.	
	AN	US-6,379,364	04-30-2002	Brace	
	AO	US-6,416,518	07-09-2002	DeMayo	
	AP	US-6,419,678	07-16-2002	Asfora	
	AQ	US-2001/0047172	11-29-2001	Foley et al.	
	AR	US-2002/0049444	04-25-2002	Knox	
	AS	US-2002/0082606	06-27-2002	Suddaby	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
	BA	WO 03/007826	01-30-2003	SDGI Holdings, Inc.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Product Literature, by SYNTHES Spine, <i>The Cervical Spine Locking Plate CSLP</i> , 2000	

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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